

2005-06 HONOLULU CHARTER COMMISSION
CHARTER AMENDMENT PROPOSAL FORM

1. Provide a brief description of the purpose of the proposed charter amendment; include a description of the problem the proposal would address and how the proposal would address the problem:

Growth and development has detrimentally impacted the condition of the county's environment and its natural resources and the availability of housing affordable to county residents. This proposal seeks to amend the Revised Charter of Honolulu (2003) to protect watersheds, drinking water sources, native forests, agricultural lands, wild coastlines, parks, recreation areas, open space and natural resources and habitats, including beaches, coastal areas, forests, watersheds, and cultural and historical sites, and provide affordable housing to the citizens of Honolulu, by annually setting aside one-half percent (1/2%) of Real Property Tax revenues for land and natural resources protection and one-half percent (1/2%) of Real Property Tax revenues for affordable housing.

The real property tax revenues shall be initially deposited into a fund entitled the "Clean Water, Natural Lands and Affordable Housing Fund" ("the Fund"). The Fund will provide monies for the acquisition lands or property entitlements for land conservation purposes, for the protection of Honolulu's water quality, native forests, beaches and coastal areas for current and future residents, and for the acquisition of land and provision of affordable housing in the City and County of Honolulu.

2. If applicable, list the charter provision(s) proposed to be deleted or amended:

No charter provisions will be deleted or amended by this proposal. Instead, this proposal seeks to add a new provision to the Revised Charter of Honolulu.

3. If the proposal is based on a provision or provisions in the charter or law of another jurisdiction, name the jurisdiction and, if possible, attach a copy of the relevant provision(s).

This charter amendment proposal is based upon similar provisions in the Maui County Charter and the Kauai County Charter. These relevant provisions are attached to this proposal (pages 3 and 4).

4. If the proposal is based on any written materials you have, please attach a copy with a citation to its source.

N/A

See reverse of this form

5. Attach the text of the proposed charter amendment in Ramseyer format (see below).

See page 5 of this proposal form.

Ramseyer Format:

If proposing an amendment to existing Charter provisions, indicate, by underscoring, any language being proposed to be added to the Charter and indicate, by bracketing, any language being proposed to be deleted from the Charter.

If proposing to replace existing Charter provisions in their entirety, clearly indicate the article(s), chapter(s) and/or section(s) of the Charter proposed to be deleted, and provide the text of any provisions proposed to replace the deleted material.

If proposing new Charter material only, provide the text of the new provision(s) and, if possible, indicate where in the Charter the new material should be inserted.

**Please submit this form and attachments by mail, e-mail, or fax.
Submissions are due October 31, 2005.**

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2005-2005 Honolulu Charter Commission

Charter Amendment Proposal

Question 3 Attachment (Relevant provisions from other jurisdictions: Maui County and Kauai County)

Maui County Charter

Article 9 Financial Procedures

Section 9-19. Open Space, Natural Resources, Cultural Resources, and Scenic Views Preservation Fund.

1. In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one percent (1%) of the certified real property tax revenues to a fund known as the open space, natural resources, cultural resources, and scenic views preservation fund. The revenues in this fund shall be utilized for purchasing or otherwise acquiring lands or property entitlements for land conservation purposes in the county of Maui for the following purposes: public outdoor recreation and education; preservation of historic or culturally important land areas; protection of significant habitat or ecosystems, including buffer zones; preserving forests, beaches, coastal areas and agricultural lands; protecting watershed lands to preserve water quality; conserving land for the purpose of reducing erosion, floods, landslides, and runoff; and improving disabled and public access to, and enjoyment of, public land, open space, and recreational facilities.

2. Any balance remaining in this fund at the end of the fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The revenues in this fund shall not be used for any purpose except those listed in paragraph one of this section.

3. The council shall by ordinance establish procedures for the administration and expenditure of the revenues in this fund. The appropriations to this fund shall not substitute, but shall be in addition to, those appropriations historically made.

(Amended 2002)

Kauai County Charter
Article XIX Financial Procedures

Section 19.15. Fund Administration.

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C. Public Access, Open Space, Natural Resources Preservation Fund.

(1) In adopting each fiscal year's budget and capital program, the council shall appropriate a minimum of one-half of one percent of the certified real property tax revenues to a fund known as the public access, open space, natural resources preservation fund. The moneys in this fund shall be utilized for purchasing or otherwise acquiring lands or property entitlements for land conservation purposes in the county of Kauai for the following purposes: public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; preserving forests, beaches, coastal areas and agricultural lands; protecting watershed lands to preserve water quality and water supply; conserving land in order to reduce erosion, floods, landslides, and runoff; improving disabled and public access to, and enjoyment of, public land, and open space; acquiring disabled and public access to public land, and open space.

(2) The moneys in this fund may also be used for the payment interest, principal, and premium, if any, due with respect to bonds issued pursuant to Sections 3.13, 3.14, or 3.15, Charter, in whole or in part – for the purposes enumerated in paragraph (1) of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds.

(3) At any given time, no more than five percent (5%) of this fund shall be used for administrative expenses.

(4) Any balance remaining in this fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in this fund shall not be used for any purpose except those listed in this section.

(5) The Council shall by ordinance establish procedures for the administration and priorities for the expenditure of moneys in this fund.

(Amended 1992, 2002)

A new Section 9-204 “Clean Water, Natural Lands and Affordable Housing Fund” is added, to read as follows:

“Section 9-204. Clean Water, Natural Lands and Affordable Housing Fund –

1. As directed by the citizens of Honolulu, in adopting each fiscal year’s budget and capital program, the council shall appropriate a minimum of one percent (1%) of the certified real property tax revenues to a fund known as the Clean Water, Natural Lands and Affordable Housing Fund. Half of the moneys in this fund, or ½ % of certified real property tax revenues, shall be utilized for purchasing or otherwise acquiring lands or property entitlements for land conservation in the city and county of Honolulu for the following purposes: protecting watershed lands to preserve water quality and water supply; preserving forests, beaches, coastal areas and agricultural lands; public outdoor recreation and education, including access to beaches and mountains; preservation of historic or culturally important land areas and sites; protection of significant habitats or ecosystems, including buffer zones; conserving land in order to reduce erosion, floods, landslides, and runoff; and, acquiring disabled and public access to public land, and open space. The other half of moneys in this fund, or ½% of certified real property tax revenues, shall be utilized for affordable housing in the city and county of Honolulu for the following purposes: provision and expansion of affordable housing and suitable living environments principally for persons of low and moderate income; land acquisition, development, and construction of affordable housing for sale or for rental; and, new housing development principally for low and moderate income rental units through the existing Housing Development Special Fund.

2. The moneys in this fund may also be used for the payment of interest, principal, and premium, if any, due with respect to bonds issued pursuant to Sections 3-116, 3-117, or 3-118, Revised Charter, in whole or in part, for the purposes enumerated in paragraph 1 of this section and for the payment of costs associated with the purchase, redemption or refunding of such bonds. The payment, of interest, principal and premium, if any, includes bonds issued prior to enactment of this section.

3. At any given time, no more than five percent (5%) of this fund shall be used for administrative expenses.

5. Any balance remaining in this fund at the end of any fiscal year shall not lapse, but shall remain in the fund, accumulating from year to year. The moneys in this fund shall not be used for any purpose except those listed in this section.

6. The Council shall by ordinance establish procedures for the administration and expenditure of moneys in this fund. The appropriations to this fund shall not substitute, but shall be in addition to, those appropriations historically made for the purposes stated in this section.